IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.20173-M of 2006
Date of Decision:- 19.11.2007

Seema ....Petitioner(s)

through
Mr.J.S.Yadav, Advocate.

vs.

State of Haryana & others ....Respondent(s)

through
Mr.Tarun Aggarwal, Sr.DAG, Haryana.
Mr.Ashwani Gaur, Advocate for
respondent Nos.2 and 3.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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1) Whether Reporters of the local papers may be allowed to see the judgment?
2) To be referred to the Reporters or not?
3) Whether the judgment should be reported in the Digest?

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SURYA KANT, J. (ORAL)

This order shall dispose of Crl.Misc.Nos.20173-M of 2006, 61025-M of 2006 and 61029-M of 2006. Crl.Misc.Nos.20173-M and 61025-M of 2006 have been preferred by Seema and Sangeeta who are sisters-in-law (nanad) of the daughter of the complainant. The third petition has been filed by father-in-law and mother-in-law of the daughter of the complainant. In all the three petitions, the petitioners seek quashing of F.I.R.No.152 dated 21.6.2003 under Sections 498-A, 323, 406, 504, 506, 34 IPC, registered at Police Station City Narnaul as well as the report under Section 173 Cr.P.C., chargesheet and the order dated 10.3.2005 whereby charges have been framed against them.

After arguing the case for some time, learned counsel for the petitioners comes up with a fair stand and states that he may be permitted to withdraw these petitions with liberty to raise the contentions before the

learned trial Court at an appropriate stage, however, with a further prayer that the sisters-in-law of the daughter of the complainant, namely, Seema and Sangeeta, who are settled at a far away place in Rajasthan as well as Shobha wife of Vijay Singh, mother-in-law, may be exempted from personal appearance.

Having heard learned counsel for the parties and in view of the above-stated stand taken by learned counsel for the petitioners, these petitions are disposed of with liberty to the petitioners to raise their respective contentions before the learned trial Court which shall be gone into in accordance with law at an appropriate stage.

Keeping in view all the attending circumstances, liberty is granted to the petitioners Seema, Sangeeta and Shobha wife of Vijay Singh that if so advised, they may move an application for exemption from personal appearance and if any such application is moved by them, the learned trial Court is directed to grant them exemption from personal appearance, however, subject to the conditions that they:-(i) shall be represented through counsel; (ii) shall not delay/stall the trial proceedings; (iii) shall not dispute their identity as accused; (iv) shall have no objection if the prosecution evidence is recorded in their absence but in the presence of their counsel; (v) shall appear before the learned trial Court as and when directed by the learned trial Court; and (vi) any other condition which the learned trial Court may impose.

November 19, 2007 **(SURYA KANT)**
poonam **JUDGE**